

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: W. Scott THIELMAN and)
Robert M. PRICONE)
Serial No.: 10/015,319)
Filed: December 12, 2001)
For: A Process and Apparatus for)
Embossing Precise Microstructures)
and Embossing Tool for Making)
Same)
Group Art Unit: 1732)

Attorney Docket:
013013-026179

RECEIVED
JUN 18 2002
OFFICE OF PETITIONS

**PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE OR
PRESERVE THE RIGHTS OF THE PARTIES**

Avery Dennison Corporation must prosecute application Serial Number 10/015, 319 to preserve its rights. Avery Dennison has spent a large amount of resources in time, development costs and other expenses to develop the inventions claimed in this and the parent applications. Other Avery Dennison employees have been involved in supporting the various development efforts that would enhance this technology and provide other new products based on the higher speed microembossing technologies. If Avery Dennison is not allowed to obtain a patent on this continuation-in-part application, Avery Dennison's rights to this technology would be incomplete, its intellectual property would be unprotected, and the corporate resources it spent to develop this technology will have been wasted. Furthermore, in the absence of an assignment from the inventors, W. Scott Thielman and Robert M. Pricone could enter into competition with Avery Dennison on this subject matter and could attempt to patent the material themselves or to assign their rights in the subject-matter to competition. Avery Dennison will be irreparably harmed if it is forced to abandon the patent application for failure to comply with the U.S. Patent

Office requirements to file "Missing Parts." If not allowed to prosecute the 10/015,319 application, Avery Dennison's proprietary position in regard to this technology would be lacking a key element of protection.

May 23, 2002
Date

Arthur B. Moore
Arthur B. Moore
Chief Patent Counsel
Avery Dennison Corporation.